

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD**

**THE HON'BLE MR. JUSTICE V. ESWARAIAH**

**WRIT PETITION NO. 1433 OF 2006**

**DATED: 28-01-2005**

BETWEEN:

Mittoor Masjid-e-Ahle Sunnatul-Jamaat and  
Managing Committee, represented by its  
President Sri Mohd. Jameel Basha, son of  
Late Mohd. Ghouse Mohiuddin, Aged about  
59 years, Retired Government Employee,  
residing at Door No. 20-224, Ragimanu Street,  
Mittoor, Chittoor Town – 517 001,  
Chittoor District.

.....Petitioner

AND

1. The Andhra Pradesh State Wakf Board,  
represented by its Chief Executive Officer,  
Haj House Complex, Opposite to Public  
Gardens, Nampalli, Hyderabad and others.

.....Respondents

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**THE HON'BLE MR. JUSTICE V. ESWARAI AH**

**WRIT PETITION NO. 1433 OF 2006**

**ORDER:**

This writ petition is filed seeking a writ of Mandamus declaring the action on the part of the 1<sup>st</sup> respondent in not approving the duly elected Managing Committee by the JAMAAT in the election held on 16-09-2005 after Friday prayers as per the representation dated 19-09-2005 as arbitrary and illegal.

It is stated that the petitioner is a registered wakf institution and some members of the Masjid constituted a Committee. As there is was a clash of thoughts and to avoid the troubles, the members of the locality decided to constitute a Managing Committee and accordingly, nine members were elected on 20-09-2004 for a period of one year and re-elections were also held on 16-09-2005 for the further period of one year. It is also stated that there are disputes with regard to the management of the said masjid as respondents 2 and 3 are also proclaiming that they are in management and the Wakf Board has authorized to look after the affairs of the

mosque. Therefore, the petitioner – Committee made a representation before the 1<sup>st</sup> respondent on 19-09-2005 for approval of their Committee but the same has not been considered and disposed of so far.

I am not inclined to express any opinion on the facts of the case as to whether the petitioner's Committee has to be approved or respondents 2 and 3 are to be included in the management.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the 1<sup>st</sup> respondent to consider and dispose of the representation of the petitioner dated 19-09-2005 after giving reasonable opportunity to the petitioner as well as respondent Nos. 2 and 3.

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**V. ESWARAIAH, J**

Dated: 28-01-2006

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